

#### § 1477.9

payments shall be reduced by a uniform national percentage. Such payment reductions shall be applied after the imposition of applicable payment limitation provisions.

[58 FR 9109, Feb. 19, 1993, as amended at 58 FR 51760, Oct. 5, 1993]

#### **§ 1477.9 Report of acreage, production disposition, and indemnity payments.**

(a)(1) Eligible producers shall report, in accordance with instructions issued by the Deputy Administrator, the acreage, production, and disposition of all commodities produced in an applicable year on any acreage for which an application for a disaster payment is filed. Such production reports submitted with respect to the 1994 signup period must be submitted by April 14, 1995; with respect to the 1993 signup period by March 27, 1994; and with respect to the 1990 through the 1992 crop quality and curly top virus conditions in sugar beets must be submitted by September 30, 1993; and with respect to 1993 through 1995 losses because of Hurricanes Andrew and Iniki and Typhoon Omar must be submitted by October 8, 1993.

(2) If there has been a disposition of crop production through commercial channels, the eligible producer must furnish documentary evidence of such disposition in order to verify the information provided on the report. Acceptable evidence shall include, but is not limited to, such items as the original or a copy of commercial receipts, peanut and tobacco marketing cards, gin records, CCC loan documents, settlement sheets, warehouse ledger sheets, elevator receipts or load summaries.

(3) If there has been a disposition of crop production other than through commercial channels, the eligible producer must furnish such documentary evidence as the county FSA committee determines to be necessary in order to verify the information provided by the producer.

(b) Eligible producers who have purchased crop insurance with respect to a crop for which a disaster payment is made must present evidence of the net amount of indemnity payment received (gross indemnity less premium paid) or to be received for each such crop in ac-

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cordance with instructions issued by the Deputy Administrator.

[57 FR 10963, Mar. 31, 1992, as amended at 58 FR 51760, Oct. 5, 1993; 60 FR 52613, Oct. 10, 1995]

#### **§ 1477.10 Payment limitations.**

(a) Disaster payments made to eligible producers shall be reduced as provided in this section. For the purpose of making such payment reductions, the term "producer" shall be considered to mean the term "person" as defined in § 1477.3. Payments for each eligible producer for each eligible commodity shall be reduced by the amount by which the sum of the disaster payment and the net amount of crop insurance indemnity payments (gross indemnity less premium) exceeds 100 percent of the expected production times the applicable basic payment rate established in accordance with § 1477.4.

(b) No person shall receive payments attributable to lost production under this part to the extent that such person receives benefits on such lost production under the livestock emergency provisions of Title VI of the Agricultural Act of 1949.

(c) No person shall be eligible to receive payments under this part for a specific year with respect to target price crops, peanuts, sugar beets, sugarcane, tobacco, soybeans, sunflowers, and nonprogram crops in excess of \$100,000.

(d)(1) No person shall receive payments under this part for a specific year, when combined with any benefits received for such year under the livestock emergency provisions of the Agricultural Act of 1949, in excess of \$100,000.

(2) Persons filing an application during the 1994 crop signup period who are subject to the provisions of paragraph (d)(1) of this section must elect the provisions under which such payments or benefits shall be received by notifying the county office of the election by April 14, 1995.

(e) All disaster program applications within a specific signup period submitted in accordance with this part, except 1993 or 1994 crop applications, shall be totaled at the end of the signup period. In order to ensure that